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**ENVIRONMENT DEPARTMENT PROPOSES  
THOROUGH ENFORCEMENT OF AIR QUALITY RULES**

(Santa Fe, NM) – The New Mexico Environment Department has proposed changes to the state's regulation governing Air Quality Operating Permits [20.2.70 NMAC] in an effort to assure consistent, complete enforcement and compliance.

For the past decade, large ("major") sources of air pollution have been required, under Title V of the federal Clean Air Act and under state regulation, to certify each year that they are operating in compliance with all applicable air quality requirements. In New Mexico, these requirements include the both federal and New Mexico Ambient Air Quality Standards, which establish health-based maximum concentrations for specific pollutants that can be in the outside (ambient) air.

"New and modified sources have always been required to show compliance with the state standards," stated Sandra Ely, Chief of the Air Quality Bureau. "The question has been with older sources, some of which are major sources of air pollutants. That's where we are now turning our attention."

The Department's proposal will clarify and expand the means by which the New Mexico Ambient Air Quality Standards will be enforced. "This closes the appearance of a loophole," said Ely, "and makes it clear that everyone complies with the same rules."

As the Environment Department has moved in recent years toward 100 percent compliance with these regulations by the older, large sources, industry has in some instances made the upgrades necessary to

meet regulatory requirements. But most recently, an industry group responded by proposing to remove both the federal and state standards altogether for major sources, according to Ralph Gruebel, Director of the Environmental Protection Division of the Environment Department.

“A move by industry to eliminate the air quality standards has prompted the Environment Department’s suggested regulatory changes,” said Gruebel. “The changes we propose will further clarify that the state and federal Ambient Air Quality Standards are applicable requirements for all sources of air pollution.”

The proposed clarifications include: (1) How the New Mexico Ambient Air Quality Standards and the National Ambient Air Quality Standards would continue to be included in operating permits as applicable requirements; (2) To what extent modeling (computer generated emissions estimates) would be required for new permit applications and renewals; and, (3) In cases where modeling shows that emissions from a major source will result in outside (ambient) air impacts in excess of the New Mexico Ambient Air Quality Standards, what would be required, in a compliance plan, for the source to come into compliance.

The Department will present its operating permits proposal to the public on Tuesday, October 8, at 1:30 p.m. in the Wheelwright Museum of the American Indian, library reading room, 704 Camino Lejo, Santa Fe. For additional information, please call Rita Trujillo of the Air Quality Bureau at (505) 955-8024. A copy of the proposed changes is posted on the Department's web site at <http://www.nmenv.state.nm.us>.

The Environment Department will appear before the Environmental Improvement Board on November 8th to propose the changes to the air permits regulation.

For additional information, contact Ralph Gruebel, Director, Env. Protection Div., at (505) 827-2932, or Rita Trujillo, Manager of the Control Strategies Section, Air Quality Bureau, NMED, at (505) 955-8024.

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